IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF NEW YORK

****

UNITED STATES OF AMERICA,
Plaintiff,

v.

KUN FUK CHENG, a/k/a STEVEN CHENG, JIN RONG CHENG, a/k/a JOYCE CHENG, and HUI GUO
Defendants.

****

Index No. 05-1461
(Saratoga County)

Criminal No. 04-CR-544
(U.S. District Court)
(Northern District of New York)
(Hon. Thomas J. McAvoy)

RELEASE OF LIS PENDENS

Notice is hereby given that a certain lis pendens recorded in the Saratoga County Clerk's Office on June 17, 2005, giving notice of the pendency of a forfeiture action in the United States District Court for the Northern District of New York as above entitled under Criminal Action No. 04-CR-544, is hereby released and discharged.

The property affected by this release is described as **Rome Plaza, 1471 Route 9 and 15 Plank Road, Halfmoon, New York,** and is more fully described in Exhibit A, attached hereto and fully incorporated herein by reference.

Dated this 5th day of May 2009.
Albany, New York

ANDREW T. BAXTER
United States Attorney
Northern District of New York

By: Thomas A. C[signature]
Thomas A. Capezza
Assistant U.S. Attorney
Bar Roll No. 503159

EXHIBIT A

Parcel Number: 413800-278-004-0002-085-000-0000

AS TO LOT 85:

ALL that certain tract, piece or parcel of land situate in the Town of Halfmoon, County of Saratoga, State of New York, lying along the westerly side of Plank Road, approximately 1/10 of a mile South of its intersection with the County Road No. 94, known as Guideboard Road and being further bounded and described as follows:

BEGINNING at the point of intersection of the westerly Right-of-Way line of Plank Road being a three rod road with the common division line of lands conveyed to Carmen J. Romano in Book 1218 of Deeds at Page 778 to the North and lands now or formerly of Leonard John D'Angelo and Elya Forbes D'Angelo, as conveyed in Book 745 of Deeds at Page 377, to the South: and

RUNNING THENCE along said common division line, North 71 degrees 45 minutes West, 114.98 feet to a point being the Northwest corner of lands of sand D'Angelo, and being the Northeast corner of the first parcel of land described in Book 1087 of Deeds at Page 569 as conveyed to Carmen J. Romano;

THENCE along the common division line of said lands of Romano to the West and lands of D'Angelo to the East, South 05 degrees 01 minute West, 161.84 feet to a point being the Southwest corner of said lands of D'Angelo and in the North line of a 25 foot wide parcel of land conveyed to Carmen J. Romano in Book 1218 of Deeds at Page 778;

THENCE along the South line of said lands of D'Angelo, South 73 degrees 10 minutes East, 114.38 feet to a point in the West line of Plank Road;

THENCE along said West line, South 05 degrees 00 minutes West, 25.54 feet to a point;

THENCE along the North line of lands now or formerly of Robert F. Hutchins and Dolores M. Hutchins, as conveyed in Book 667 of Deeds at Page 38, North 73 degrees 10 minutes West, 220.52 feet to a point being the Northwest corner of lands of said Hutchins and the Northeast corner of lands conveyed to Carmen J. Romano in the second parcel described in Book 1087 of Deeds at page 569;

THENCE along the common division line of lands of said Romano to the West and lands of said Hutchins to the East, South 07 degrees 50 minutes West, 105.06 feet to a point marked with an iron pipe found at the point of intersection at the common division line of lands of Robert F. Hutchins and Dolores M. Hutchins, as conveyed in Book 667 of Deeds at Page 38, to the North and lands of Robert F. Hutchins and Dolores M. Hutchins, as conveyed in Book 801 of Deeds at Page 208, to the South;

THENCE along the southerly continuation of the above last mentioned course, being the common division line of lands of said Hutchins, as conveyed in Book 801 of Deeds at Page 208, to the East and lands of Carmen Romano, as conveyed in Book 1218 of Deeds at Page 778, to the West, South 07 degrees 50 minutes West, 50.62 feet to a point in the North line of lands now or formerly of Rene Charlebois and Jean Charlebois and James Leonardo and Sandra Leonardo, as conveyed in Book 973 of Deeds at Page 677;

THENCE along said North line, North 73 degrees 10 minutes West, 72.45 feet to a point;

THENCE continuing along the South line of lands conveyed to Carmen Romano in Book 1218 of Deeds at Page 778, North 83 degrees 12 minutes West, 107.31 feet to a point in the East line of lands conveyed to Carmen J. Romano being the third parcel of land described in Book 1087 of Deeds at Page 569;

THENCE along said East line, North 10 degrees 32 minutes 30 seconds West, 97.19 feet to a point being the Northeast corner of said third parcel;

THENCE along the North line of said third parcel, South 88 degrees 03 minutes 40 seconds West 3.81 feet to a point being the Southeast corner of lands now or formerly of Donald Wark and Edith Wark, as conveyed in Book 840 of Deeds at Page 464 and being in the westerly side of the 50 foot wide strip of land conveyed to Carmen J. Romano in Book 1218 of Deeds at Page 778;

THENCE along the common division line of said lands of Romano to the East and lands of Wark to the West, other lands of Carmen J. Romano and Audrey F. Romano to the West, as conveyed in Book 1026 of Deeds at Page 91 and lands now or formerly of Edward Pearson and Mary Pearson, as conveyed in Book 908 of Deeds at Page 926, also to the West, North 13 degrees 05 minutes West, 296.88 feet;

THENCE continuing along the common division line of lands of Romano to the Southeast and lands of Pearson to the Northwest, lands now or formerly of Joseph S. DeMaria, as conveyed in Book 1007 of Deeds at Page 489, to the Northwest and lands now or formerly of Dallas Roberts and Francis J. Hladik, as conveyed in Book 1088 of Deeds at Page 541, to the Northwest, North 52 degrees 25 minutes East, 129.33 feet to a point marked with an iron pipe found;

THENCE continuing along the common division line of said lands of Roberts and Hladik to the North and lands of Romano to the South, North 72 degrees 56 minutes East, 176.82 feet to a point being the most northerly corner of the 50 foot wide parcel of land conveyed to Carmen Romano in Book 1218 of Deeds at Page 778;

THENCE continuing along the Northeast line of said 50 foot wide parcel of land the following three (3) courses and distances:

1) South 18 degrees 25 minutes East, 168.66 feet to a point;

2) South 71 degrees 45 minutes East, 202.92 feet to the westerly line of Plank Road;

3) South 05 degrees, 00 minutes West, 51.36 feet to the point or place of **BEGINNING.**

TO THE CLERK OF THE COUNTY OF SARATOGA

You are hereby directed to release the Notice of Pendency against the property located at **Rome Plaza, 1471 Route 9 and 15 Plank Road, Halfmoon, New York** and the following named individuals:

Rome Realty, Inc. /Kun Fuk Cheng

Dated: 5/5/09
Albany, New York

Andrew T. Baxter
United States Attorney

By: Thomas A. C

Thomas A. Capezza
Assistant U.S. Attorney
United States Attorney's Office
Northern District of New York
218 James T. Foley Courthouse
445 Broadway
Albany, New York 12207
Phone: 518-431-0247
Fax: 518-431-0249